

REMARKS

Claims 1-13 are pending in this application.

Applicants have amended claims 1, 2, 8, and 9, and have added new claims 10-13. These changes are not believed to introduce any new matter.

In response to the objection to claim 8 because of an informality, Applicants have corrected the spelling of the word “image.” Accordingly, Applicants request that the objection to claim 8 be withdrawn.

In response to the objection to claim 7 under 37 C.F.R. § 1.75(d)(1), Applicants note that those having ordinary skill in the art are familiar with various RGB color spaces, e.g., sRGB, Adobe RGB, and vendor specific RGBs. Further, those having ordinary skill in the art can readily determine whether an RGB color space has a wider range of color reproduction than an sRGB color space. As such, Applicants submit that the language used in the specification and in claim 7 to describe the predetermined color space (“a predetermined RGB space that has a wider range of color reproduction than an sRGB color space”) is sufficient to enable those having ordinary skill in the art to determine whether a particular color space constitutes a “predetermined RGB space” as claimed. Accordingly, Applicants request that the objection to claim 7 be withdrawn.

Applicants respectfully request reconsideration of the rejection of claim 9 under 35 U.S.C. § 101. Applicants have amended claim 9 to specify that the computer program is stored on a computer readable medium. Accordingly, Applicants submit that claim 9 defines statutory subject matter under 35 U.S.C. § 101, and request that the rejection of this claim thereunder be withdrawn.

Applicants respectfully request reconsideration of the rejection of claims 1-5, 8, and 9 under 35 U.S.C. § 102(e) as being anticipated by *Nagasawa et al.* (U.S. Patent No. US

6,384,928 B2). As will be explained below, the *Nagasawa et al.* reference does not disclose each and every feature specified in independent claims 1, 2, 8, and 9, as amended herein.

Applicants have amended independent claims 1 and 2 to specify that the image processing control data is used to control the details of image processing on the picture data at the time of outputting an image. Applicants' specification provides support for the changes to claims 1 and 2 (see, for example, Applicants' specification at Paragraph 27). In support of the anticipation rejection, the Examiner asserts that the *Nagasawa et al.* reference discloses image processing control data associated with the picture data at column 3, lines 18-19. The cited portion of the *Nagasawa et al.* reference, however, simply refers to a video camera that can output a digital color still image signal. The cited portion of the *Nagasawa et al.* reference does not disclose that the image processing control data is used to control the details of image processing on the picture data at the time of outputting an image. Thus, for at least this reason, the *Nagasawa et al.* reference does not disclose each and every feature of claims 1 and 2, as amended herein.

Turning to independent claims 8 and 9, each of these independent claims recites "causing the picture data to be subjected to image processing based on the image processing control data, and thereby generating image output data." As noted above, the portion of the *Nagasawa et al.* reference cited by the Examiner simply refers to a video camera that can output a digital color still image signal. The cited portion of the *Nagasawa et al.* reference does not disclose that the picture data is subjected to image processing based on the image processing control data so as to generate image output data. Thus, for at least this reason, the *Nagasawa et al.* reference does not disclose each and every feature of claims 8 and 9.

Accordingly, for at least the foregoing reasons, independent claims 1, 2, 8, and 9 are patentable under 35 U.S.C. § 102(e) over *Nagasawa et al.* Claims 3-5, each of which

depends from claim 2, are likewise patentable under 35 U.S.C. § 102(e) over *Nagasawa et al.* for at least the same reasons set forth above regarding claim 2.

Applicants respectfully request reconsideration of the rejection of claim 6 under 35 U.S.C. § 103(a) as being unpatentable over *Nagasawa et al.* in view of *Bishay et al.* (U.S. Patent No. US 6,256,350 B1). Claim 6 depends from independent claim 2. The *Bishay et al.* reference does not cure the above-discussed deficiencies of the *Nagasawa et al.* reference relative to claim 2. Accordingly, claim 6 is patentable under 35 U.S.C. § 103(a) over the combination of *Nagasawa et al.* in view of *Bishay et al.* for at least the same reasons set forth above regarding claim 2.

Applicants respectfully request reconsideration of the rejection of claim 7 under 35 U.S.C. § 103(a) as being unpatentable over *Nagasawa et al.* in view of *Bishay et al.* and further in view of *Parulski* (U.S. Patent No. US 6,937,997 B1). Claim 7 ultimately depends from independent claim 2. Similar to the *Bishay et al.* reference, the *Parulski* reference also does not cure the above-discussed deficiencies of the *Nagasawa et al.* reference relative to claim 2. Accordingly, claim 7 is patentable under 35 U.S.C. § 103(a) over the combination of *Nagasawa et al.* in view of *Bishay et al.* and further in view of *Parulski* for at least the same reasons set forth above regarding claim 2.

As noted above, Applicants have added new claims 10-13. New independent claim 10 defines an image processing system that carries out image processing on picture data, with the image processing system being connected to an output device via a network. New independent claim 12 defines an image output method that utilizes an image processing system connecting with an output device via a network to output an image based on picture data. New independent claim 13 defines a computer program, stored on a computer readable medium, that causes an image processing system to output an image to an output device connecting with the image processing system via a network. In the course of drafting new

Application No. 10/071,459
Amendment dated April 28, 2006
Response to Office Action mailed November 29, 2005

claims 10-13, Applicants were mindful of the prior art of record. Accordingly, Applicants respectfully submit that new claims 10-13 are patentable over the prior art of record.

In view of the foregoing, Applicants respectfully request reconsideration and reexamination of claims 1-9, as amended herein, as well as examination of new claims 10-13, and submit that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 749-6902. If any additional fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. MIPFP007).

Respectfully submitted,
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